

**REMARKS**

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-59 are pending in the application, with claims 1, 8, and 38 being the independent claims.

Applicants have amended the independent claims above to now even more clearly demonstrate how Applicants' claimed invention is distinguished from the applied references. These changes are believed to introduce no new matter, and are designed to now even more clearly claim the invention. Entry of the amendments is respectfully requested.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Examiner Interview***

Applicants thank the Examiner for the telephonic interview of September 11, 2007. Applicants explained the nature and background of the invention, in particular, that embodiments of the invention operate at the file system level. Applicants further discussed that when a file is moved according to the policies, the move is transparent to the user, who does not need to know where the new file location is in order to access it. Further, the applied references Szalwinski and Gable were discussed in the context of claim 1. It was agreed that the applied references do not teach the invention as discussed, and that some amendment is needed to clarify these points.

***Rejections under 35 U.S.C. § 112***

In the Action on pages 2-3, sections 5-7, claims 1 -59 are rejected under 35 U.S.C. § 112 second paragraph as being indefinite for reciting "and/or" in claims 1, 8 and 38. Claims 1, 8 and 38 are amended to recite "or" in place of "and/or." Applicants therefore respectfully submit that claims 1-59 are no longer indefinite and request that the rejection be withdrawn.

***Rejections under 35 U.S.C. § 103***

In the Action on pages 3-7, sections 9-26, claims 1-13 and 38-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,266,679 to Szalwinski et al

(hereinafter "Szalwinski") in view of Gable "Records Management for Electronic Documents" (hereinafter "Gable"). Applicants respectfully traverse the rejection.

The Action, in section 11, states that Szalwinski fails to teach "wherein said lifecycle policies relate to aspects of file classification and file disposition." Applicants agree with this statement. Szalwinski fails to teach additional elements of claim 1, and alone, or in combination with Gable, fails to teach or suggest all of the elements of amended claim 1. The Action has therefore not presented a *prima facie* case of obviousness.

As amended, claim 1 recites a computer-implemented method of managing a file lifecycle, the method comprising the steps of storing data on a storage medium comprising: ***associating a set of lifecycle policies with a file in a file system***, wherein said lifecycle policies relate to aspects of file classification and file disposition including at least two of: file creation, file retention, file reference, file non-use, file security, file protection, file preservation, file storage locations within a storage medium, cost effective storage of a file, and/or file expiration; storing said file on said storage medium accessible by a computer according to said set of lifecycle policies; automatically determining from the associated lifecycle policies whenever said file is to be moved; automatically moving said file according to the associated lifecycle policies to another storage location within said storage medium or within a different storage medium whenever the associated lifecycle policies determine that said file is to be moved; and ***providing transparent access to said file regardless of where the file is created, located, or moved to, independently of an application or a user.*** (Emphasis added).

First, neither Szalwinski nor Gable, alone or in combination, teach associating a set of lifecycle policies with a file ***in a file system***. Instead, Szalwinski teaches merely creating a top-level directory and a file-location database for archiving and retrieving files, with no mention of a file system. Szalwinski, Abstract. Gable teaches using a middleware records management application to manage electronic records. Gable, paragraphs 11-14. Neither Szalwinski nor Gable teaches associating a set of lifecycle policies with a file at the file system level. In contrast, embodiments of the invention may operate at the file system level. Specification, page 5, lines 22-23. By operating at the file system level, no separate application or middleware is required, and the user of the computer system cannot circumvent the lifecycle policies. A user of the Szalwinski or Gable

systems could circumvent the archiving or management policies by simply not using the systems. Therefore, neither Szalwinski nor Gable teach, alone or in combination, associating a set of lifecycle policies with a file **in a file system**.

Second, neither Szalwinski nor Gable, alone or in combination, teach **providing transparent access to said file regardless of where the file is created, located, or moved to, independently of an application or a user**. Instead, Szalwinski teaches restoring a file that appears on a list of files to be restored from an archive. Szalwinski, col. 6, lines 34-36. The restoration process may be scheduled to take place during low activity periods, such as at night. Szalwinski, col. 6, lines 49-51. Thus, Szalwinski requires some input from the user, i.e. which file to put on the list to be restored, and does not allow access to a file regardless of its location. Gable also fails to teach this element. Instead, Gable requires that a user access a file via the middleware application used to keep track of the records in the record management system. In contrast, because embodiments of the invention may operate at the file system level, no separate application or middleware is required. When a file is moved according to the file lifecycle policies, the user may still access the file regardless of the file's new location and without having to know where the file is physically located. Specification, p. 8, lines 2-7. Thus, accessing the file is independent of an application and is transparent to the user.

Therefore, Szalwinski and Gable, alone or in combination, fail to teach or suggest at least two elements of claim 1. Accordingly, it would not have been obvious to combine Gable with Szalwinski in order to obtain the elements of claim 1, because such a combination does not teach or suggest all of the elements of claim 1.

Claims 8 and 38, as amended, recite similar elements as claim 1, and are allowable for at least the reasons given above for claim 1.

Claims 9-13 and 39-46 depend from claims 8 and 38, respectively, and are allowable at least for being dependent on an allowable claim.

In the Action on page 8, sections 27-28, claims 14-37 and 47-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Szalwinski in view of Gable and in further view of Stolarz. Applicants respectfully traverse the rejection.

Claims 14-37 and 47-59 depend from claim 1, and are allowable for at least the reasons given above for claim 1.

***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

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Respectfully submitted,

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